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13 **IN THE UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

15 NOEL C. MURRAY and DR. SWARNA  
16 PERERA, on behalf of themselves and all  
others similarly situated,

17 Plaintiffs,

18 vs.  
19

20 PROVIDENT TRUST GROUP, LLC,

21 Defendant.  
22

Case No.: 2:18-cv-01382-MMD-GWF

**ORDER RE:  
STIPULATION AND [PROPOSED]  
ORDER TO EXTEND BRIEFING  
SCHEDULE ON DEFENDANTS'  
MOTION TO DISMISS FIRST  
AMENDED COMPLAINT**

23 Plaintiffs Noel C. Murray, Dr. Swarna Perera, and Joyce E. Friedman ("Plaintiffs"), by  
24 and through their counsel of record, the Law Office of Hayes & Welsh, the Law Office of  
25 Christopher J. Gray, P.C., and the Law Offices of Joshua B. Kons, LLC, and Defendant Provident  
26 Trust Group, LLC, by and through its counsel of record, Greenberg Traurig, LLP, hereby stipulate  
27 and request that the Court extend the time by which Plaintiffs must file papers in opposition to  
28

1 Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint (DE 49, the "Motion to  
2 Dismiss") until and including, **July 26, 2019**. This Stipulation is made and based upon the  
3 following:

- 4 1. Plaintiffs filed their First Amended Class Action Complaint on May 8, 2019, in  
5 which they allege Defendant breached contractual duties as custodian of Plaintiffs'  
6 Individual Retirement Accounts. [ECF No. 46]. Plaintiffs seek certification to  
7 represent a class of similarly situated individuals across the country. *Id.*
- 8 2. Defendant filed the Motion to Dismiss on June 21, 2019 and Plaintiffs' opposition  
9 papers are currently due on July 5, 2019.
- 10 3. Counsel for Plaintiffs has requested additional time to evaluate the Motion to  
11 Dismiss and prepare a response, taking into account the exercise of due diligence.  
12 Counsel for Defendant has agreed to this request.
- 13 4. In light of the foregoing, the parties agree that Plaintiffs shall have up to, and  
14 including, **July 26, 2019**, to respond to the Motion to Dismiss.
- 15 5. This is the first request for an extension of time in this regard. This Stipulation is  
16 entered into in good faith and not for purposes of delay.

17  
18 DATED: June 25, 2019

DATED: June 25, 2019

19  
20 /s/ Martin L. Welsh  
21 THE LAW OFFICE OF HAYES & WELSH  
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/s/ Mark E. Ferrario  
GREENBERG TRAURIG, LLP  
Mark E. Ferrario, Esq. (Nevada Bar. No. 1625)  
Jason K. Hicks, Esq. (Nevada Bar No. 13149)  
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15 *Attorneys for Plaintiffs*

16 IT IS SO ORDERED.



17 MIRANDA M. DU

18 UNITED STATES DISTRICT COURT JUDGE

19 DATED THIS 27<sup>th</sup> day of June 2019.